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Jonathan J. Stotler, MAOM  
Director, Institute for Advanced Health Education  
(908) 687-7928

RE: FCC Fax Rules

As applied to the medical education industry, removing the "established business relationship" qualification from the fax regulations is not only bad for business but destructive. It is not that the medical education industry markets its products or services to physicians, many times by fax, but rather that physicians are required for their licensure to utilize our services. Forcing enterprises, and medical education/communications companies, to obtain the written consent of their own members, clients and industry partners before transmitting any fax that could be interpreted as commercial in nature eliminates a vital and legally required service to physicians and other healthcare providers. The medical education community has already raised numerous concerns about the new regulations, much of which remains an austere interpretation, including exactly which transmissions the FCC would interpret as commercial in nature; whether written consent to a national association would extend to chapter or affiliate faxes; and whether a written consent form would expire with membership. The faxes that the medical education community employs are not one-time marketing assaults but rather trusted relationships between providers of medical services (who are already embattled in issues of malpractice insurance and a shrinking workforce) and companies that provide them with much needed educational programming; and many times educationally related attempts to boost the number of providers in various healthcare sectors.